IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION (STAMP) NO. 1070 OF 2005

Prakash Danmal Mutha ...Petitioner

Versus

The State of Maharashtra & Ors ...Respondents

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Mr. Hasmuk Danewala i/b B.A. Kunte, Advocate for Petitioner

Ms. Manju Sharma, Advocate for Respondent No.2.

Mr. P.S. Hingorani, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 13TH JULY, 2005

P. C.:-

1. Heard the learned advocate for the petitioner and the learned advocate for the respondent No.2 i.e. original complainant.

2. Through this writ petition, the petitioner is seeking quashing of process issued against him in C.C. No. 489/S/99 which is pending before the learned Metropolitan Magistrate, 20th Court, Mazgaon Mumbai. In the said case the process was issued against the petitioner by order dated 5.7.1999. The learned advocate for the respondent No.2 has pointed out that the complainant has been examined in the

matter and now the matter has been kept for cross examination of the complainant. The petitioner today is challenging the said order dated 5.7.1999. There is gross delay and latches in preferring this writ petition. Moreover, no explanation has been given for the said delay. On the ground of gross delay and latches alone, I am not inclined to entertain the present writ petition and the petition is dismissed.

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